

PLANNING COMMISSION

October 7, 2015

Action Report

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Yob, Abelite, Ballard, O'Halloran, and Pham

ABSENT: Commissioner Bit-Badal

SUMMARY OF HEARING PROCEDURES

1. PUBLIC COMMENT

None

2. DEFERRALS AND REMOVALS FROM CALENDAR

No Items

3. CONSENT CALENDAR

- a. [CP14-009 \(Administrative Hearing\)](#). Conditional Use Permit to install landscaping and legalize an unpermitted parking lot at an existing residential care facility on a 2.13 gross acre site in the CO Commercial Office Zoning District located at 2065 Los Gatos-Almaden Road (Grancare Almaden LLC, Owner). Council District: 9. CEQA: Exempt per CEQA Guidelines Section 15301(a) for Existing Facilities. **PROJECT MANAGER, LEA SIMVOULAKIS**

1. DETERMINED THAT THE EXEMPTION IS IN ACCORDANCE WITH CEQA (5-0-1, BIT-BADAL ABSENT)

2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 15-044 (5-0-1, BIT-BADAL ABSENT)

Access the video, agenda, and related reports for this meeting by visiting the City's website at:

<http://www.sanjoseca.gov/planning/hearings/>

- b. [CP15-024 \(Administrative Hearing\)](#). Conditional Use Permit to allow church/religious assembly use with up to 400 seats in a portion of an existing industrial building on a 2.09 gross acre site in the IP Industrial Park Zoning District, located at 145 Martinvale Lane (Primera Iglesia Bautista Del Sur, Owner). Council District: 2. CEQA: Exempt per CEQA Guidelines Section 15301(a) for Existing Facilities. *PROJECT MANAGER, LEA SIMVOULAKIS*

DROPPED TO BE RE-NOTICED PER APPLICANT'S REQUEST AS THEY ARE FURTHER EVALUATING THE INCORPORATION OF A SECOND CHURCH THAT IS OPERATING WITHOUT THE BENEFIT OF A PERMIT (5-0-1, BIT-BADAL ABSENT)

- c. [CP15-043 \(Administrative Hearing\)](#). Conditional Use Permit (CUP) to allow the continued operation and expansion of an existing drinking establishment ("55 South") for on-site consumption of beer, wine and liquor, with incidental off-sale of wine, until 2:00 a.m., located in a multi-tenant building on a 0.8-gross acre site in the DC Downtown Primary Commercial Zoning District at 55 S. 1st Street (60 South Market Investors LLC, Owner). Council District 3. CEQA: Exempt per CEQA Guidelines Section 15303(c) for New Construction or Conversion of Small Structures. *PROJECT MANAGER, PATRICK KELLY*

1. **DETERMINED THAT THE EXEMPTION IS IN ACCORDANCE WITH CEQA (5-0-1, BIT-BADAL ABSENT)**
2. **APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 15-045 (5-0-1, BIT-BADAL ABSENT)**

- d. [PDC14-060, PD15-019 & PT15-023](#). Planned Development Rezoning and Planned Development Permit from the LI Light Industrial Zoning District to the A(PD) Planned Development Zoning District to allow up to 26 single family detached residences, and Tentative Map to subdivide one lot into 33 separate lots for residential purposes, on an approximately 2.6 gross acre site, located on the east side of Edenvale Avenue, approximately 1,000 feet north of Chynoweth Avenue (Santa Clara University, Owner). Council District 2. CEQA: Mitigated Negative Declaration, to be adopted. *PROJECT MANAGER, JENNIFER PIOZET*

1. **RECOMMENDED TO THE CITY COUNCIL THE ADOPTION OF THE MITIGATED NEGATIVE DECLARATION IN ACCORDANCE WITH CEQA (5-0-1, BIT-BADAL ABSENT)**
2. **RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF A PLANNED DEVELOPMENT REZONING, PLANNED DEVELOPMENT, AND TENTATIVE MAP (5-0-1, BIT-BADAL ABSENT)**

- e. [PDC14-070](#). A Planned Development rezoning from the R-M Multiple Residence Zoning District to the R-M(PD) Planned Development Zoning District to allow up to four single-family detached residences in a courthome configuration with on-site parking on a 0.23 gross acre site, located on the east side of South Cypress Avenue, across from Alden Way, approximately 485 feet south of Stevens Creek Boulevard (356 S. Cypress Avenue) (Tran Xuan Nhut Trustee & Et Al, Owner). Council District 1. CEQA: Exempt per CEQA Guideline Section 15303(b) for New Construction of Small Structures. *PROJECT MANAGER, JOHN TU*

1. **CONSIDERED THE EXEMPTION IN ACCORDANCE WITH CEQA (5-0-1, BIT-BADAL ABSENT)**
2. **RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF A PLANNED DEVELOPMENT REZONING (5-0-1, BIT-BADAL ABSENT)**

4. PUBLIC HEARING

- a. **PDC15-018.** Planned Development Zoning from the R-M Multiple Residence Zoning District to the CP(PD) Planned Development Zoning District to allow up to 600 residential units, up to 25,000 square feet of commercial space, and a private community center with indoor performance use on 5.25 gross acre site, located at 696 North 6th Street (City of San Jose, Owner). Council District: 3. CEQA: Addendum to the Japantown Corporation Yard Redevelopment Project Environmental Impact Report, adopted by Resolution No. 74384. **PROJECT MANAGER, LEA SIMVOULAKIS**
- 1. DETERMINED THAT THE ADDENDUM TO THE JAPANTOWN CORPORATION YARD REDEVELOPMENT PROJECT ENVIRONMENTAL IMPACT REPORT, ADOPTED BY RESOLUTION NO. 74384, IS IN ACCORDANCE WITH CEQA AND RECOMMENDED TO THE CITY COUNCIL THE ADOPTION OF THE MMRP TO UPDATE THE NOISE MITIGATION MEASURE, IN ACCORDANCE WITH CEQA (5-0-1, BIT-BADAL ABSENT)**
 - 2. RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF A PLANNED DEVELOPMENT REZONING (5-0-1, BIT-BADAL ABSENT)**
- b. **PD15-014 (Administrative Hearing).** APPEAL of the Planning Director's decision to approve a Planned Development Permit to effectuate Planned Development Zoning File No. PDC13-034 and allow the demolition of all existing on-site buildings totaling approximately 16,550 square feet, the removal of 19 ordinance-sized trees, and the construction of a five-story residential development with up to 96 units on an approximately 1.73 gross acre site, in the RM(PD) Planned Development Zoning District, located on the west side of Almaden Road, approximately 660 feet south of Willow Glen Way (1807, 1821, 1833, 1849, 1863, and 1873 Almaden Road) (1821 Almaden LLC, Owner). Council District 6. CEQA: Determination of Consistency with the Mitigated Negative Declaration for File No. PDC13-034, Resolution No.77345. **PROJECT MANAGER, ELIZABETH SCHULLER**
- 1. DETERMINED THAT THE DETERMINATION OF CONSISTENCY WITH THE MITIGATED NEGATIVE DECLARATION FOR FILE NO. PDC13-034, RESOLUTION NO. 77345, IS IN ACCORDANCE WITH CEQA (5-0-1, BIT-BADAL ABSENT)**
 - 2. UPHELD THE PLANNING DIRECTOR'S DECISION AND APPROVED A PLANNED DEVELOPMENT PERMIT TO INCLUDE HIGH-DENSITY CYPRESS TREE PLANTING IN ADDITION TO MAGNOLIA TREES AND RETAIN A SEVEN FOOT HIGH FENCE ALONG THE WESTERN PROPERTY LINE – RESOLUTION NO. 15-046 (5-0-1, BIT-BADAL ABSENT)**

5. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES

No Items

6. GOOD AND WELFARE

- a. Report from City Council
Michelle Yesney appointed to Planning Commission.
Title 20 update for the Downtown Primary Commercial Zoning District.
Future consideration of Title 23 updates to allow advertising on private/public buildings in downtown.

- b. Review and Approve Synopsis from [9-23-15](#)
Synopsis Approved (5-0-1, Bit-Badal Absent)
- c. Subcommittee Formation, Reports, and Outstanding Business
No Reports
- d. Commission Calendar and Study Sessions
General Plan Annual Review Report Study Session scheduled for November 4, 2015 (5-0-1, Bit-Badal Absent)

ADJOURNMENT